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Convention on the Rights of Persons with Disabilities

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Eighteenth session

Summary record of the 339th meeting
Held at the Palais des Nations, Geneva, on Thursday, 17 August 2017, at 10 a.m.

Chair: Ms. Degener

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of Morocco (*continued*) (CRPD/C/MAR/1; CRPD/C/MAR/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of Morocco took places at the Committee table.*

Articles 11-20

2. **Mr. Belrhit** (Morocco), responding to questions put at the previous meeting, said that his country had closely followed the discussions on article 12 of the Convention during the preparatory work on the instrument and during the drafting of general comment No. 1 (2014) on equal recognition before the law, and had helped to coordinate the position of the Arab States on that issue. It had not entered any reservations to article 12, and both the Convention and the Optional Protocol thereto could be invoked in domestic courts.

3. The principle of equal recognition before the law was enshrined in the Constitution, and related rights of persons with disabilities, including the right to own property, were protected by Framework Law 97-13 on the promotion and protection of the rights of persons with disabilities. The Government planned to replace guardianship with a system that offered greater independence. It had amended national legislation to give persons with disabilities the capacity to sign certain administrative documents.

4. **Mr. Najim** (Morocco) said that the guardianship system served to protect the interests and property of persons with intellectual disabilities. Guardianship could be imposed only by a judge, on the basis of a medical certificate. The number of marriage contracts concluded by persons with intellectual disabilities had increased steadily since the promulgation of the Family Code in 2004, reaching nine in total in 2015.

5. A number of measures had been taken to safeguard the right of persons with disabilities to access to justice, as set out in paragraphs 70 to 75 of his country's report (CRPD/C/MAR/1). In addition, interpreting services were provided free of charge, and witnesses with disabilities could be heard by a judge at home if it was difficult for them to attend a court hearing. In 2016, the Ministry of Justice had established that certain court officials were to be responsible for ensuring that persons with disabilities had access to any services they required.

6. Appointments to the judiciary were made without discrimination, including on the basis of disability, and the number of persons with disabilities in the judiciary was steadily increasing. There were currently 271 prisoners with disabilities, held in 56 prisons. All new prison facilities were designed with due regard for accessibility standards and prisoners with physical disabilities were able to move freely within the prison facilities. Prisoners with disabilities had access to basic education, vocational training and literacy training, as well as psychosocial therapy, rehabilitation and around 14 medical check-ups per year. They were also entitled to 10 visits per year.

7. **Mr. Elguenouni** (Morocco) said that Framework Law 97-13 had been drafted following extensive consultations with civil society, at the national and regional levels, as described in paragraph 10 of his country's replies to the list of issues (CRPD/C/MAR/Q/1/Add.1). The draft had subsequently been amended on the basis of recommendations made by governmental and non-governmental experts during two seminars organized by Parliament. The Framework Law was in line with all international standards on persons with disabilities.

8. **Mr. Ait Brahim** (Morocco) said that the Government had conducted a national census based on the protocol established by the Washington Group on Disability Statistics. The results had shown that persons with disabilities accounted for 6.8 per cent of the national population and that one in four households included a person with a disability. Those statistics had been entered into an integrated information system, with support from the United Nations Development Programme (UNDP). A total of 419 disability indicators

had been developed through a consultative process, as described in paragraph 10 of his country's replies to the list of issues.

9. **Mr. El Hafiane** (Morocco) said that the Finance Act of 2015 had established that budget allocations should reflect sectoral strategies and legislation. Indicators had been established to facilitate monitoring of the implementation of all budgeted programmes; an evaluation would be conducted by the Inspectorate General of Finance in 2019. The new financial monitoring system was applicable to all public authorities.

10. **Mr. Belrhit** (Morocco), summarizing paragraphs 283 and 284 of his country's report, said that the Government was working on a bill that would establish a new mechanism, within the National Human Rights Council, to protect and raise awareness of the rights of persons with disabilities and to investigate complaints of violations of those rights.

11. **Mr. Baghdadi** (Morocco) said that awareness-raising on disability issues was conducted pursuant to article 8 of the Convention and article 22 of Framework Law 97-13. So far, around 10,000 persons had benefited from awareness-raising carried out by around 40 associations with support from the Government. Media campaigns had been organized to combat stereotypes and to ensure that rights holders were aware of their rights.

12. As part of the national outreach campaign "Providing access. Facilitating life", events had been organized throughout the country, bringing together representatives of local and regional authorities, civil society and the private sector. The campaign had ended with a celebration of the International Day of Persons with Disabilities, on 3 December 2016, which had also marked the tenth anniversary of the adoption of the Convention.

13. **Mr. Cheikhi** (Morocco) said that a commission had been set up in 2012 to work with all stakeholders, including representatives of civil society, to look at access to means of communication, and specifically the Internet, for persons with disabilities. Under the National Action Plan 2017-2021 to promote the rights of persons with disabilities, discussions had been held with both the public and private sectors, in consultation with organizations representing persons with disabilities, on improving accessibility and capacity-building. The State party had also worked with the Economic and Social Commission for Western Asia on the issue.

14. **Ms. Brahmi** (Morocco) said that the Government intended to build up the country's disaster response capacities in the areas of transport, health and response to the needs of those affected. The Ministry of the Interior cooperated with the Ministry of Health and all other relevant government departments in that work. The needs of persons with disabilities were a priority, and key points of evacuation plans included information on where such persons might be, the kind of disability they had and ensuring that medical centres were available to provide appropriate treatment for them. Measures were also taken to ensure that their property was protected in times of disaster.

15. **Mr. Diouri** (Morocco) said that there was also a national strategy for the management of medical emergencies following disasters or other incidents, under which access was guaranteed to medical services and treatment for all persons, including persons with disabilities. The strategy also covered the operation of a single telephone hotline for emergencies and the provision of medical transport, including helicopters.

16. The Ministry of Health had been required to take action in response to the situation at the Bouya Omar institution in July 2015, in coordination with other government departments. The persons found there had been taken to regional centres for mental health treatment, with priority placed on keeping them close to their homes and families. Over 1,000 persons, of whom 356 were women and many were drug users, had been taken to various hospitals, and a budget of 150 million dirhams had been allocated for their treatment, rehabilitation and medicines. Most of the persons concerned had been successfully reunited with their families. Parliament was currently considering bill No. 71-13, which focused on mental impairments and their treatment. The bill, which incorporated the provisions of international agreements and placed emphasis on improving awareness, prevention, treatment and training for staff, represented a modernization of the 1959 Royal Decree, in accordance with the terms of the Convention.

17. **Ms. Hakkaoui** (Morocco) said that the Bouya Omar institution had actually been a monument to a local saint at which there was a tradition of seeking help for all types of mental disability. The institution had now been dismantled and the Government was considering building a hospital on the same site; it would also provide help for persons who were no longer able to exercise economic activities at the pilgrimage site.

18. Much had been done over the previous five years to assess the conditions in and resources available to existing health institutions, of which there were more than 1,500 in the country. A legal mechanism for reform had been established and a bill, currently in the final stages of discussion in Parliament, included measures for improving the performance of institutions that provided services for persons with disabilities, notably transport for persons whose mobility was restricted. One innovation was the provision of remote assistance and treatment, which allowed persons to be helped in their own homes.

19. The many social institutions in the country catered for persons with disabilities on an equal footing with those without disabilities. Educational institutions were required to provide persons with disabilities with both education and appropriate assistance, including free medical treatment and care.

20. Morocco was strongly opposed to any type of discrimination, including on the basis of sex, as was demonstrated by its laws and by the establishment of a national anti-discrimination body, which worked in favour of both Moroccan and refugee women, especially women with disabilities. A bill addressing violence against women, which had been drafted in consultation with civil society, defined all forms of violence, including sexual, verbal and economic violence. It provided for harsher sentences for violence committed against women with disabilities and support for the victims of gender-based violence, including domestic violence. Units had been set up in all courts to offer assistance to victims of violence, particularly women, and women with disabilities were given priority. Comprehensive services were now offered in hospitals, police stations and by the Royal Gendarmerie, and a national observatory had been set up to monitor violence against women. The Ministry of the Family, Solidarity, Equality and Social Development also worked with the media to counter negative stereotypes of women and persons with disabilities. There were drop-in centres staffed by civil society organizations and shelters were available for women victims of domestic violence who were not able to return to their own homes. A new mechanism had been set up the previous week which, together with the National Human Rights Council, would work to ensure adequate provision of specialized institutions for women, including women with disabilities.

Articles 21-33

21. **Mr. Tatić**, welcoming the information on the bill on violence against women, said that he would like to know whether organizations representing persons with disabilities, and particularly the intersection between gender and disability, had been involved in its drafting. He also wished to know whether data were available on any prosecutions of individuals who had committed violence against women with disabilities. He would be interested to hear whether there were Internet sites accessible to blind persons, whether sign language interpretation was available in universities and if university buildings were accessible for persons with restricted mobility. Lastly, he would like to hear about the accessibility of tourist attractions and cultural sites for persons with disabilities.

22. **Mr. Rukhledev** asked whether sports facilities in the country were accessible for persons with disabilities, whether the State party was doing anything to help children with disabilities engage in sporting activities and how persons with disabilities were encouraged to enjoy and contribute to the country's artistic and cultural heritage.

23. **Mr. Martin** said that he would like to know whether persons with all types of disability were able to vote in the State party and if the relevant information was available in accessible formats. He would be interested to hear what sexual and reproductive health services were available for persons with disabilities. There was no information in the State party's report on health care for persons with intellectual disabilities; he would like to know what was being done to improve health care outcomes for them. Lastly, he wondered

whether the school counsellors appointed to support children with disabilities had the skills and training required to work with children with intellectual disabilities.

24. **Mr. Kim** Hyung Shik, expressing concern at the high proportion of persons with disabilities who had not had any schooling, asked what measures were in place to improve the overall education situation of children with disabilities and what the State party's position was with regard to special education in the light of the very high unemployment rate among persons with disabilities.

25. He would be interested to hear the delegation's comments on the fact that, under Directive No. 3-130-00 of July 2000, persons with disabilities could be appointed to certain posts on a preferential basis; that was discriminatory and stigmatizing and not a good example of open employment. He would also appreciate further details of the direct and exceptional employment opportunities, which, according to paragraph 215 of the State party's report, had been offered to more than 500 persons with disabilities holding various educational and university qualifications. In addition, he wished to know whether the State party still operated sheltered workshops and, if so, how many persons were employed in them. Information on cases of discrimination experienced by persons with disabilities in employment and on the average income and duration of employment of persons with disabilities would be welcome.

26. He would like to hear more about the provision of training to persons with disabilities to enable them to participate in international cooperation programmes and about the role played by persons with disabilities and their representative organizations at grassroots level in identifying, developing, implementing and monitoring disability-inclusive development projects. Lastly, he wished to know how international cooperation was being linked to the Sustainable Development Goals with a view to creating employment for and increasing the standard of living of persons with disabilities.

27. **Mr. Langvad** said that he would welcome clarification as to whether it was actually possible to deprive persons with disabilities in Morocco of their legal capacity. He would appreciate further information on the type of treatment provided to persons with psychosocial disabilities in the community. He would be interested to know why the quotas for the employment of persons with disabilities applied only to companies with more than 25 employees and not in all sectors. Lastly, he wished to know when and how the relevant legislation would be changed to ensure that children with disabilities could receive appropriate disability-related assistance in an inclusive education system, rather than being segregated in special education institutions, and how organizations of persons with disabilities would be involved in that process.

28. **Mr. Buntan**, following up on his question regarding article 11, said it seemed that the State party's model of disaster risk reduction was still based on the vulnerability model of disability. He wondered whether there were any plans to transition towards a model based on the Sendai Framework for Disaster Risk Reduction 2015-2030, under which persons with disabilities were treated as both beneficiaries of, and contributors to, disaster risk reduction measures. He would like to know how the State party understood and intended to practise inclusive education and what role existing special education schools and teachers could play in making mainstream schools more inclusive. Lastly, he would be interested to hear whether there were any plans to enhance statistical data collection by incorporating the Washington Group Short Set of Questions on Disability.

29. **Mr. Chaker** said he was pleased to note that blind Moroccan students were now studying in mainstream institutions in their own country rather than travelling to Tunisia to attend the special school of physiotherapy for persons who were blind or had visual impairments. He hoped that the inclusion of students with disabilities in mainstream education would be extended further.

30. **Mr. Kabue** said that he would like the delegation to comment on reports that many persons with disabilities in Morocco were living in dire poverty and unable to live independently because of a lack of adequate social protection. He wished to know whether, in addition to being able to vote, persons with disabilities could participate in political processes by being elected or appointed to positions of influence. He would welcome

clarification of the role played by organizations of persons with disabilities in monitoring the implementation of the Convention.

31. **Mr. Alsaif** said that he would be grateful for approximate statistics on the number of schools that had programmes in place to include children with disabilities in mainstream education. The delegation should indicate whether any additional legislative measures had been taken in order to provide for alternative working hours for persons with disabilities and give them the flexibility to attend medical or physiotherapy appointments as necessary. He wished to know whether physical fitness was a prerequisite for mainstream employment and, if so, how the authorities ensured that persons with disabilities were not discriminated against on that basis when it came to promotions and selection for training courses, for example. Lastly, he wondered whether there was a supreme mechanism for disability affairs, independent from the National Human Rights Council, to design policies and plans that would enhance the protection of persons with disabilities in Morocco.

32. Mr. **Ruskus** asked what support mechanisms were in place for families with children with disabilities, especially intellectual or psychosocial disabilities, to ensure that they had a decent standard of living. Information on measures to ensure access to the health-care system for persons with neurodegenerative or genetic diseases would also be appreciated.

33. Mr. **Lovászy** said that the delegation should comment on the reported lack of legal measures mandating websites, including streaming services, to apply universal access criteria, with special regard for persons who were blind, deaf or hard of hearing. He wished to know more about the use of pictograms and easy-to-understand and easy-to-read formats for persons with intellectual disabilities. He would also like to know what financial support and training were in place for sign language interpreters.

34. He was concerned at the low school enrolment rate among children with disabilities, the failure to build an inclusive system of education and the continued overreliance on non-governmental organizations (NGOs) to provide specialized services to children with disabilities, as noted by the Committee on the Rights of the Child in 2014. He wondered how the State party intended to overcome the negative attitudes among certain families, which, as it had acknowledged, sometimes prevented children with disabilities from accessing education. In addition, he wished to know what remedies were available for parents of children with disabilities wishing to challenge assessment decisions made in relation to enrolment.

35. As he understood it, the few requirements that were in place with regard to the employment of persons with disabilities in the private sector were practically unenforceable. The delegation should inform the Committee about any plans to improve that situation. In addition, he would welcome data on the number of persons with disabilities employed in both the public and private sectors. Lastly, he wondered whether there were any specific measures or financial incentives to encourage small and medium-sized enterprises in particular to provide reasonable accommodation in the workplace.

36. **Mr. Babu** said that he would like to know more about the HIV/AIDS prevalence rate in the country and about related interventions targeting persons with disabilities, especially those with hearing and visual challenges. He also wished to know how women and girls with disabilities were supported in accessing sexual and reproductive health services and whether the country's health information management systems tracked provision of such services to that group.

37. **Mr. Pyaneandee** said the Committee was concerned that mothers of children with disabilities who were excluded from school, especially children with psychosocial and intellectual disabilities, bore the burden of caring for them and were thus subjected to a form of discrimination by association. He wondered whether the State party had carried out any research to understand the economic, social and cultural benefits of full inclusive education, given that it could not afford to run two parallel systems. He also wished to know whether it had embarked on the training of teachers to support children with disabilities in fully inclusive mainstream setups.

38. **Mr. Parra Dussan**, noting the challenges faced in the implementation of the right to education, said that he would be interested to know whether, in addition to article 24 of the Convention, the Government had familiarized itself with the Committee's general comment No. 4 (2016) on the right to inclusive education. He would also like to know how the State party planned to mainstream disability into its efforts to achieve the Sustainable Development Goals.

39. **The Chair** said that the delegation should indicate whether the Government was taking targeted measures to ensure that girls and women with disabilities, who faced multiple discrimination, had access to education and employment on an equal basis with others. She also wished to know what targeted measures were being taken to ensure inclusive education for all children with disabilities and whether parents of children with disabilities who were denied access to education or reasonable accommodation had access to a complaints mechanism. While she commended the incorporation of the Washington Group questions in the 2014 census, she would be interested to know why disability had not been included in the monitoring indicators for the Sustainable Development Goals submitted to the United Nations in June 2016. She wondered whether there were any areas in which the State party had identified the need for technical cooperation with the Committee in order to implement the Convention or the Sustainable Development Goals as they related to disability. If so, the Committee would be happy to provide such assistance.

40. **Mr. Basharu** said that he would be interested to hear what measures the State party was taking to ensure that Parliament would swiftly adopt the bill recognizing the competence of the National Human Rights Council to serve as an independent mechanism to monitor the implementation of the Convention, in accordance with article 33, and to provide sufficient budgetary allocations to enable it to carry out its mandate effectively. He also wished to hear more about efforts to strengthen the capacity of all focal points and organizations of persons with disabilities to take part in the monitoring and implementation process.

The meeting was suspended at noon and resumed at 12.20 p.m.

41. **Mr.** Mohamed Anouar **Boukili** (Morocco) said that education was a right for persons with disabilities, as enshrined in national laws and in the Convention. Children with disabilities were taught both in mainstream schools and in more than 650 specialized units. Dedicated facilities were in place to provide appropriate care and education adapted to the individual needs of the child, based on the nature of his or her disability. Every child's needs were evaluated by a multidisciplinary team. In addition to the standard curriculum, special curricula for children with disabilities included vocational education, potentially leading to a vocational high-school diploma.

42. Educational provision was made by a number of different government departments working with civil society under the coordination of the Ministry of National Education, Vocational Training, Higher Education and Scientific Research, which issued interdepartmental guidelines. Reasonable accommodation was made for children with disabilities where appropriate: for example, special arrangements were made to enable pupils with visual or hearing impairments to sit examinations. Overall, educational success rates for children with disabilities stood at around 70 per cent, with thousands obtaining high-school diplomas.

43. Awareness-raising activities with regard to education for children with disabilities were carried out in partnership with regional authorities and regional civil society organizations. Regional authorities were also responsible for providing specific assistance, whether on a one-off basis — with examinations, for example — or throughout the school year. Efforts were made to avoid children dropping out of school and to foster a love of learning and engagement with education, especially in rural areas. The national education plan was closely aligned with article 24 of the Convention, and progress was being made in moving towards an integrated approach, including in teacher training and continuing professional development activities. Among other things, in-service training aimed to combat stereotypes and promote human rights in education.

44. **Mr. Ait Brahim** (Morocco) said that families were increasingly in favour of sending children with disabilities to mainstream schools, which would help in pursuing an

integrated approach. Under the Government's 15-year plan to reform the education sector, a single compulsory and universal education system was the ultimate goal, with support provided where necessary.

45. Given the importance of language for participating in communication, the Government had passed legislation, inspired by article 30 of the Convention, to enable persons with hearing impairments to follow parliamentary proceedings and mainstream media broadcasts in sign language. Sign language modules were taught in a number of institutions. With support from UNDP, a project was underway to standardize sign language across the countries of the Maghreb.

46. **Mr. Bellarab** (Morocco) said that increasing amounts of funding were being earmarked for sporting activities for persons with disabilities. Major efforts were under way to promote sport at all levels, with a steady increase in the number of sports clubs nationwide. Sports for persons with disabilities were supported through the creation of special sports centres — for persons with visual impairments, among others — while logistical and financial assistance was provided for sports activities at universities to promote inclusion. Improvements were being seen in schools, as teacher training institutes worked to promote an inclusive attitude among teachers towards children with disabilities and their participation in sports locally, regionally and nationally. As a result of government support, participation in the Paralympic Games had increased, and Moroccan athletes had been among the medal winners. The next aim was to expand the number of disciplines represented.

47. **Mr. Diouri** (Morocco) said that, since the 1990s, there had been concerted efforts to halt the spread of HIV/AIDS, which had slowed as a result. Work had focused in particular on screening, early detection and prompt treatment.

48. **Mr. Belrhit** (Morocco) said that the right to employment, including for persons with disabilities, was enshrined in the Constitution. Difficulties had been encountered with regard to the quota system for the employment of persons with disabilities. The Government had endeavoured to apply several reform measures within the civil service, issuing ministerial orders to introduce competitive examinations for persons with disabilities to fill certain vacancies and to abolish the upper limit on the number of posts that could be held by persons with disabilities in a particular unit. A committee had been set up to monitor the implementation of those measures.

49. In the private sector, Framework Law 97-13 established a compact between the State and employers, fixing overall numbers of jobs and quotas for the employment of persons with disabilities. Persons with disabilities were employed even in sectors where no such quota existed. In partnership with the International Labour Organization and national trade unions, the Government had organized a day of workshops to consider the issue. The unions were seeking the adoption of measures to promote the employment of persons with disabilities and examining their conditions of employment. Occupational safety and health issues were also being taken into account. The Government aimed to ensure that persons with disabilities were able to work in appropriate conditions with no discrimination in terms of pay, responsibilities or career prospects. For self-employed people, regulations existed to encourage enterprise creation.

50. **Mr. Cherkhi** (Morocco) said that the situation of persons with disabilities was a key issue for the social protection system. Since 2012, various groups had benefited from a fund for vulnerable categories of person. Targeted programmes had been introduced to reduce school dropout rates, support widows and assist children with disabilities and their families. The number of those who benefited from the fund had been increasing since 2015 and extra categories of eligible recipients had been added. Thousands of children received support for their schooling. The fund had also been used to encourage job creation within enterprises and to support those in self-employment. There was no age limit for beneficiaries.

51. Framework Law 97-13 provided for support to be given to parents and guardians of children with disabilities. University grants were available for persons with disabilities to continue their studies. A system to assist in finding housing was also in place, and model residential projects had been set up, with specific criteria to determine eligibility, as part of efforts to reduce the number of people, including those with disabilities, living in precarious

situations. In addition, the Framework Law established a system of support for persons with disabilities who had no means of income, offering them social protection mechanisms.

92. **Ms. Hakkaoui** (Morocco) said that, under a newly introduced system based on a unified register, assistance provided to widows was no longer conditional on their having children of school age. A joint project with the World Bank was helping to ensure targeted social protection for persons with disabilities.

93. **Mr. Ait Ibrahim** (Morocco) said that the Government had published a national sustainable development plan in July 2017, which had been announced earlier in the year at a regional event of the Organization for Economic Cooperation and Development. Morocco had been chosen as the focal point for the Arab countries for Sustainable Development Goal 4, on quality education. Work was under way in that area, in line with the indicators established by experts.

94. **Mr. Chebbi** (Morocco) said that Morocco was involved in various international cooperation projects on a range of issues with different partners. They included a project with the World Bank on accessibility, working with the Economic Commission for Africa on indicators to monitor the implementation of the Convention, cooperating on several projects with UNDP in the area of disability policy, a new system for evaluating the impact of activities carried out with the World Health Organization (WHO) and a joint project with the European Union on the rights of persons with disabilities.

95. **Mr. Mohamed Anwar Boukili** (Morocco) said that Morocco was also working with the United Nations Children's Fund (UNICEF) and Handicap International on a new approach to learning compatible with the needs of persons with disabilities and on the accessibility of the education system, at both primary and secondary levels. In the health sector, partnerships had been agreed with organizations such as Handicap International, the United Nations Educational, Scientific and Cultural Organization, WHO, UNDP and UNICEF, and a significant number of measures had been taken under the National Health and Disability Plan.

96. **Mr. Dinari** (Morocco) said that international cooperation agreements were also in place in the field of sports, including bilateral agreements with sports federations and universities.

97. **Ms. Hakkaoui** (Morocco), acknowledging the shortcomings in the treatment of persons with disabilities despite legislative, policy and practical measures to improve the situation, said that there was a need not only to allocate resources but also to change attitudes and patterns of behaviour. Those in positions of authority had a particular responsibility to meet the expectations of persons with disabilities. Her Government was committed to improving matters further, for example by promoting sign language and accessibility and by defining the concept of legal capacity more precisely, and would continue to promote and protect the rights of persons with disabilities, working in close collaboration with civil society and taking the Constitution as its fundamental frame of reference. Welcoming the constructive and open-minded dialogue with the Committee, she said that information on gender-specific questions would be provided in writing in due course.

The meeting rose at 1 p.m.